

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SHARON A. JOHNSON,

Defendant.

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8:07CR346

ORDER

This matter is before the court on the motion of defendant Sharon A. Johnson (Johnson) to continue trial for ninety days (Filing No. 54). Trial of this matter is scheduled for January 26, 2009. The trial has been continued previously three times at Johnson's request to accommodate her cancer treatment. The present motion to continue is not accompanied by Johnson's affidavit nor a medical status report from treating physicians.

Trial for January 26, 2009, is canceled and will be continued. This motion will be held in abeyance pending the filing of (1) Johnson's affidavit acknowledging the time granted for a continuance will be excluded in calculating Speedy Trial deadlines and (2) a report from her treating physician as to Johnson's progress **and** prognosis for travel by Johnson. Johnson must file the above items **on or before January 23, 2009**, or this matter will be immediately set for trial.

IT IS SO ORDERED.

DATED this 16th day of January, 2009.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge